


<i>Application Number</i> 	Application/Control No. 10/828,397 Examiner Lisa Hashem	Applicant(s)/Patent under Reexamination BURG, FREDERICK MURRAY Art Unit 2614	



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,397	04/20/2004	Frederick Murray Burg	ATT-137AUS	4816
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AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER HASHEM, LISA	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/828,397		BURG, FREDERICK MURRAY	
	Examiner		Art Unit	
	Lisa Hashem		2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Amendment, filed 6-7-07, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Please see all rejection(s) below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 7,245,612 by Petty et al, hereinafter Petty.

Regarding claim 1, Petty discloses a method of connecting a telephone call (see Abstract), comprising:

receiving a message having caller information associated with a caller network device (Fig. 1, 124) and called endpoint information associated with a called network device (Fig. 1, 102) (col. 4, lines 14-36; col. 7, lines 41-55; col. 8, lines 34-38);

sending a first alerting signal to the called network device in response to the called endpoint information (col. 8, lines 34-63.);

detecting if a first connection signal is received from the called network device (col. 9, line- col. 10, line 18);

sending a second alerting signal to the caller network device in response to the caller information

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(i.e. voice prompt);

detecting if a second connection signal is received from the caller network device (i.e. recording of voice message); and

connecting the called network device to the caller network device in response to the second connection signal (i.e. answering the call during the recording) (col. 10, lines 8-50).

Regarding claim 2, the method of Claim 1, wherein Petty discloses including: establishing a session; and recalling saved caller information based upon the session (col. 9, lines 52-60; col. 10, lines 19-50).

Regarding claim 3, the method of Claim 1, wherein Petty discloses including receiving a confirmation message indicating a successful connection to at least one of the called network device and the caller network device (col. 9, line 52 - col. 11, line 37).

Regarding claim 4, the method of Claim 1, wherein Petty discloses the message further includes time information, and the sending the first alerting signal, the detecting if the first connection signal is received, the connecting to the called network device, the sending the second alerting signal, the detecting if the second connection signal is received, and the connecting the called network device to the caller network device are performed at a time identified in the time information (co. 9, lines 18-26).

Regarding claim 5, the method of Claim 1, wherein Petty discloses the caller information includes at least one of a caller telephone number, a caller text description, a caller E-mail address, a caller login name, a caller network address, and a session identifier (col. 9, lines 57-60).

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Regarding claim 6, the method of Claim 1, wherein Petty discloses the called endpoint information includes at least one of a called telephone number, a called endpoint text description, a called endpoint E-mail address, a called endpoint network address (col. 7, lines 41-67).

Regarding claim 7, the method of Claim 1, wherein Petty discloses including decoding the called endpoint information to provide a called telephone number (col. 7, lines 41-67).

Regarding claim 8, the method of Claim 1, wherein Petty discloses including decoding the caller information to provide a caller telephone number (col. 9, lines 57-60; col. 10, lines 47-50).

Regarding claim 9, the method of Claim 1, wherein Petty discloses including retrieving a called telephone number associated with the called endpoint information (col. 7, lines 41-67).

Regarding claim 10, the method of Claim 1, wherein Petty discloses the message includes at least one of an instant message and an E-mail (col. 9, lines 14-38 and lines 52-60).

Regarding claim 11, the method of Claim 1, wherein Petty discloses including sending a voice message to the called network device in response to the first connection signal being received from the called network device (col. 9, line 52 – col. 10, line 50).

Regarding claim 12, the method of Claim 1, wherein Petty discloses including sending a voice message to the caller network device in response to the second connection signal being received from the caller network device (col. 9, line 52 – col. 10, line 50).

Regarding claim 13, the method of Claim 1, wherein Petty discloses including:
terminating the sending of the first alerting signal to the called network device in response to the first connection signal not being received from the called network device (col. 8, lines 40-47 and lines 59-63).

Regarding claim 14, the method of Claim 13, wherein Petty discloses including: retrying sending the first alerting signal to the called network device (col. 9, lines 14-26).

Regarding claim 15, the method of Claim 1, wherein Petty discloses including: terminating the sending of the second alerting signal to the caller network device in response to the second connection signal not being received from the caller network device (i.e. call is aborted) (col. 8, lines 64-67; col. 11, lines 38-40).

Regarding claim 16, the method of Claim 15, wherein Petty discloses including: retrying sending the second alerting signal to the caller network device (col. 9, lines 7-27).

Regarding claim 17, the method of Claim 1, wherein Petty discloses including sending a voice message to the called network device in response to the second connection signal not being received from the caller network device (i.e. voice message is completed) and the first connection signal being received from the called network device (col. 10, lines 19-50).

Regarding claim 18, the method of Claim 1, wherein Petty discloses including sending at least one of an instant message and an E-mail in response to the first connection signal not being received from the called network device (col. 9, lines 14-27).

Regarding claim 19, the method of Claim 1, wherein Petty further discloses the caller network device is selected from a telephone and an Internet telephony device (Fig. 1, 124) and the called network device is selected from a telephone and an Internet telephony device (Fig. 1, 102) (col. 4, lines 14-36).

Regarding claim 20, Petty discloses a method of connecting a telephone call to a calling center (Fig. 1, 150; col. 4, lines 53-64), comprising:
receiving a message having caller information associated with a caller network device (Fig. 5,

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124) and called center information associated with the calling center (Fig. 5, 150) (col. 4, lines 14-36 and lines 53-64; col. 7, lines 38-55);

sending a first alerting signal to the calling center in response to the calling center information (i.e. redirecting incoming call for called party to calling center (ICW application server)) (col. 7, lines 38-55);

detecting if a first connection signal is received from the calling center (col. 8, lines 30-47) (i.e. establish Internet connection to ICW client computer);

sending a second alerting signal to the caller network device in response to the caller information (i.e. voice prompt) (col. 9, line 52 – col. 10, line 50);

detecting if a second connection signal is received from the caller network device; and

connecting the called network device to the calling center in response to the second connection signal (i.e. recording voice message (col. 10, lines 8-50).

Regarding claims 21 and 22, please see claims 2 and 5 above, respectively.

Regarding claim 23, the method of Claim 20, wherein Petty discloses the calling center information includes at least one of a called telephone number, a calling center text description, a calling center E-mail address, and a calling center network address (col. 7, lines 38-55).

Regarding claim 24, the method of Claim 20, wherein Petty discloses including decoding the calling center information to provide a calling center telephone number (col. 7, lines 38-55).

Regarding claim 25, the method of Claim 20, wherein Petty discloses including decoding the caller information to provide a caller telephone number (col. 9, lines 57-60; col. 10, lines 47-50).

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Regarding claim 26, the method of Claim 20, wherein Petty discloses including retrieving a calling center telephone number (i.e. call forward number) associated with the calling center information (col. 5, lines 14-23).

Regarding claim 27, the method of Claim 20, wherein Petty discloses the message includes at least one of an instant message and an E-mail (col. 9, lines 14-38 and lines 52-60).

Regarding claim 28, the method of Claim 20, wherein Petty discloses the caller network device is selected from a telephone and an internet telephony device (Fig. 1, 124) and the calling center is adapted to couple to at least one of the public switched telephone network and a data network (Fig. 5, 150; col. 4, lines 53-64; col. 7, lines 38-55).

Regarding claim 29, the method of Claim 20, wherein Petty discloses including: sending at least a portion of the calling center information to the calling center; receiving a calling center response having calling center knowledge in response to the portion of the calling center information; and connecting the caller network device to the calling center in response to the caller information and to the calling center knowledge (col. 5, lines 23-61; col. 7, lines 38-67).

Regarding claim 30, the method of Claim 29, wherein Petty discloses the portion of the calling center information includes an interactive voice response system (IVR) sequence associated with an interactive voice response system (IVR) (col. 5, lines 43-52; col. 7, lines 63-67).

Regarding claim 31, the method of Claim 29, wherein Petty discloses the calling center knowledge includes at least one of a calling center expected response time and a calling center queue value (col. 8, lines 40-47).

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Regarding claim 32, Petty discloses a system for connecting a telephone call (see Abstract), comprising:
a server (Fig. 5; 154) adapted to receive a message having caller information associated with a caller network device (Fig. 1, 124) and called endpoint information associated with a called network device (Fig. 1, 102) and to connect the telephone call in accordance with the caller information and with the called endpoint information (col. 4, lines 14-36; col. 7, lines 38-67; col. 8, lines 34-38).

Regarding claim 33, the system of Claim 32, wherein Petty discloses including:
a gateway (col. 5, lines 18-22 or Internet) coupled to the server (Fig. 1, 154) and to a telephony network (PSTN) for providing communications from the server to the telephony network, wherein at least one of the gateway and the server is adapted to send alerting signals to a called network device and to the caller network device, and at least one of the gateway and the server is further adapted to detect connection signals from the caller network device and from the called network device (col. 4, lines 36-52; col. 8, line 30 – col. 10, line 50).

Regarding claims 35 and 36, please see claims 5 and 6 above, respectively.

Regarding claim 34, the system of Claim 33, wherein Petty discloses the gateway is adapted to connect the server to one or more of the called network device and the caller network device (col. 4, lines 36-52; Fig. 5, 256), and the gateway is still further adapted to connect the called network device to the caller network device (col. 4, lines 37-64; col. 5, lines 18-22).

Regarding claim 37, the system of Claim 32, wherein Petty discloses further including a decoder to decode the called endpoint information to provide a called telephone number (col. 7, lines 38-67).

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Regarding claim 38, the system of Claim 32, wherein Petty discloses further including a decoder to decode the caller information to provide a caller telephone number (col. 9, lines 57-60; col. 10, lines 47-50).

Regarding claim 39, the system of Claim 32, wherein Petty discloses the message includes at least one of an instant message and an E-mail (col. 9, lines 14-38 and lines 52-60).

Regarding claim 40, the system of claim 32, wherein Petty discloses the called network device is associated with a calling center (Fig. 1, 150; col. 7, lines 38-67).

Regarding claim 41, the system of claim 40, wherein Petty discloses the calling center includes an interactive voice response (IVR) system and the server is further adapted to communicate an IVR sequence to the calling center (col. 5, lines 43-52; col. 7, lines 63-67).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

5. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh
August 17, 2007


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SUPERVISORY PATENT EXAMINER
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